

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 539 - SB 1033**

March 25, 2015

**SUMMARY OF ORIGINAL BILL:** Requires a healthcare provider, in the provision of care for pregnant women during gestation or women who may become pregnant, to inform such women regarding Cytomegalovirus (CMV). If a newborn fails the newborn hearing screening, the healthcare provider is required to test the newborn for CMV before the newborn is 21 days of age unless the parent of the newborn objects, and provide the parents of the newborn information regarding CMV and available methods of treatment. States that any healthcare provider's failure to comply with these requirements will not create or impose a liability or a duty of care or other legal obligation upon any such provider beyond the requirements provided in this legislation.

**FISCAL IMPACT OF ORIGINAL BILL:**

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (004977):** Deletes all language after the enacting clause. Requires a healthcare provider, who has assumed responsibility for the prenatal care of pregnant women during gestation or women who may become pregnant, to inform such women, who, in the discretion of the healthcare provider, are at risk of complications regarding Cytomegalovirus (CMV). Encourages healthcare providers to supply all other patients with information as to where they can learn about CMV. Removes language in the original bill requiring a CMV test be performed on a newborn before reaching 21 days of age if such newborn failed the newborn hearing screening.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

NOT SIGNIFICANT

Assumptions for the bill as amended:

- CMV is a virus from the herpes and chickenpox virus family and is a common cause of infection and illness worldwide. It is congenital, or can be spread at birth or be passed from an infected pregnant woman. It is commonly spread through interaction with infected bodily fluids, including blood, saliva, mucus, urine, or breast milk.
- CMV can cause deafness, mental disability, cerebral palsy, visual impairment, seizure disorder, jaundice, hepatitis, low platelet counts, intrauterine growth retardation (poor growth of a baby while in the mother's womb), or microcephaly (small head size).
- This will have no impact on the state.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

/jdb